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8

9 UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 ALIPHCOM,

13 Plaintiff/Counter-Defendant/
Cross-Complainant,
14

15 v.

16 MYTALK, INC. dba MYTALK, a Delaware
Corporation, MICHAEL HODGE,
17 individually and doing business as MYTALK
SOCIAL NETWORKS, INC., and DOES 1-
10,
18

19 Defendants/Counter
Claimants/Cross-Defendants.
20

Case No. C10-04918 EDL

**STIPULATION OF DISMISSAL WITH
PREJUDICE AND [PROPOSED] ORDER**

Judge: Hon. Elizabeth D. Laporte

Complaint Filed: October 29, 2010

Pursuant to Federal Rule of Civil Procedure 41(a)(1) and 41 (c), the parties, by and through their undersigned counsel, hereby stipulate to the dismissal with prejudice of this action, including any and all claims, counter-claims and cross-claims asserted therein. This Court shall retain jurisdiction to enforce the terms of the parties' settlement agreement. Each party shall bear its own costs and attorneys' fees in connection with this action.

DATED: ^{September 12} ~~August~~, 2011 KILPATRICK TOWNSEND & STOCKTON LLP

By: Timothy R. Cahn
TIMOTHY R. CAHN
HOLLY GAUDREAU
JENNIFER D. ARKOWITZ

Attorneys for Plaintiff/Counter-Defendant/Cross-Complainant
ALIPHCOM

DATED: ^{Sept. 2} ~~August~~, 2011 WEST & ASSOCIATES, A P.C.

By: Stuart J. West
STUART J. WEST

Attorneys for Defendants/Cross-Complainants/Counter-Defendants MYTALK, INC. dba MYTALK, MICHAEL HODGE, individually and doing business as MYTALK SOCIAL NETWORKS, INC.

IT IS SO ORDERED.

DATED: September 15, 2011

Elijah D. Laporte

Hon. Elizabeth D. Laporte
United States District Judge

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